UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/062,944	02/01/2002	Shaiwal Singh	MICR0258	5156

27792   7590   06/17/2005

MICROSOFT CORPORATION
LAW OFFICES OF RONALD M. ANDERSON
600 108TH AVENUE N.E., SUITE 507
BELLEVUE, WA 98004

EXAMINER
ALI, MOHAMMAD

ART UNIT	PAPER NUMBER
2167	

DATE MAILED: 06/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/062,944	SINGH ET AL.
	Examiner	Art Unit	
	Mohammad Ali	2167	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _07 April 2005_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-58_ is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-23 and 36-58_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All   b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This communication is in response to the amendment filed on 07/04/2005.

Claims 1-58 are pending in this Office Action.

Election/Restrictions

2.   During a telephone conversation with attorney, Michael C. King (44,832) on June

15, 2005 a provisional election was made without traverse to prosecute the invention of

performing data migration, claims 1-23 and 36-58. Affirmation of this election must be

made by applicant in replying to this Office action. Claims 24-35 withdrawn from further

consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected

invention.

Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 1-23 and 36-58 are drawn from data migration, classified in class 707,

subclass 204.

II. Claims 24-35 are from allow to access, classified in class 707, subclass 9.

The inventions are distinct, each from the other because of the following reasons:

Inventions in Groups I and II are related as subcombinations disclosed as usable

together in a single combination. The subcombinations are distinct from each other if

they are shown to be separately usable. In the instant case, invention in Group I has

separate utility such as data migration. See MPEP § 806.05(d). Invention in Group II

has separate utility and requires allow to access.

Because these inventions are distinct for the reasons given above and have

acquired a separate status in the art as shown by their different classification, restriction

for examination purpose as indicated is proper.

Applicant is reminded that upon the cancellation of claims to a non-elected

invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one

or more of the currently named inventors in no longer an inventor of at least one claim

remaining in the application. Any amendment of inventorship must be accompanied by

a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

4.   Claims 1-23 and 36-58 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Erik Peterson ('Peterson' hereinafter), USPGPUB 2002/0103907 in

view of David Pezutti ('Pezutti' hereinafter), USPGPUB 2004/0249927.

        With respect to claim 1,

        Peterson discloses a method of migrating at least one client to a selected version

of a server-hosted application on a network, where multiple versions of the server-

hosted application are available on the network, such that direction of a client to use a

specific version may be transparent to a client (see page 4, para. 0067), comprising the

steps of:

        (a) installing the multiple versions of the server-hosted application on the network

(see page 3, para. 0066, Peterson);

        (b) creating a register identifying clients having access to the server-hosted

application and indicating in the register a version of the server-hosted application that

is associated with each client having access to the server-hosted application (see page

4, para. 0067, Peterson);

        (c) changing an association in the register of at least one client selected from

those clients identified in the register to a different version of the server-hosted

application (see page 5, para. 0072, Peterson); and

        (d) directing each client attempting to access the server-hosted application to the

version of the server-hosted application with which the client is associated in the

register, without requiring that any client be aware of the migration to the different

version (see page 4, para. 0067, Peterson).

Peterson does not explicitly indicate claimed installation.

Pezutti discloses claimed installation (page 16, para. 0283).

It would have been obvious to one ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because installation of Pezutti's teaching would have allowed Peterson's system to an intelligent networks provide network access services for the benefit of network providers, service providers and customers, as suggested by Pezutti at page 1, para, 0002. Installation as taught by Pezutti improves the quality services to customers and revenue generations and operations savings services for network providers and service providers (see page 3, para 0019, Pezutti).

Peterson does not explicitly indicate claimed association.

Pezutti discloses claimed installation (page 5, para. 0058).

It would have been obvious to one ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because association of Pezutti's teaching would have allowed Peterson's system to an intelligent networks provide network access services for the benefit of network providers, service providers and customers, as suggested by Pezutti at page 1, para, 0002. Association as taught by Pezutti improves the quality services to customers and revenue generations and operations savings services for network providers and service providers (see page 3, para 0019, Pezutti).

As to claim 2,

Peterson teaches a wherein the register comprises meta information for each client (see page 3, para. 0066, Peterson).

As to claim 3,

Peterson teaches wherein the meta information for each client includes a status of the client and a version identifier that indicates the version of the server-hosted application associated with the client (see page 4, para. 0067, Peterson).

As to claim 4,

Peterson teaches wherein the meta information further comprises a location from where server-hosted application data of a client can be retrieved (see page 4, para. 0067, Peterson).

As to claim 5,

Peterson teaches comprising the step of grouping together version specific server-hosted application data into different data structures, such that at least one data structure exists for each version of the hosted application, and each at least one data structure includes version specific server-hosted application data unique to only one version of the hosted application (see page 4, para. 0067, Peterson).

As to claim 6,

Peterson teaches further comprising the step of grouping together non version specific server-hosted application data into a single data structure (see page 3, para. 0066, Peterson).

As to claim 7,

Peterson teaches further comprising the step of grouping together client specific

server-hosted application data into different data server-hosted on the version of the

hosted application that is associated with the client specific server-hosted application

data, so that a different client data structure exists for each version of the server-hosted

application (see page 3, para. 0066, Peterson).

As to claim 8,

Peterson teaches wherein the register comprises a separate data structure (see

page 3, para. 0066, Peterson).

As to claim 9,

Peterson teaches wherein the step of directing each client attempting to access

the server-hosted application to the version of the server-hosted application associated

with the client comprises the step of examining a request from each client for access to

the server-hosted application to determine if the request contains a reference to the

version of the server-hosted application with which the client making the request is

associated (see page 4, para. 0067, Peterson).

As to claim 10,

Peterson teaches wherein when a request from a client does not include a

reference to the version of the server-hosted application to which the client should be

directed, further comprising the step of incorporating a reference to the version of the

server-hosted application to which the client should be directed in a cookie returned to

the client from the server, such that when the client makes a future request, the register

does not need to be consulted to determine the version of the server-hosted application

to which the client should be directed (see page 3, para. 0066, Peterson).

Peterson does not explicitly indicate claimed cookie.

Pezutti discloses claimed cookie (page 6, para. 0069).

It would have been obvious to one ordinary skill in the data processing art at the

time of the present invention to combine the teachings of the cited references because

cookie of Pezutti's teaching would have allowed Peterson's system to an intelligent

networks provide network access services for the benefit of network providers, service

providers and customers, as suggested by Pezutti at page 1, para, 0002. Cookie as

taught by Pezutti improves the quality services to customers and revenue generations

and operations savings services for network providers and service providers (see page

3, para 0019, Pezutti).

As to claim 11,

Peterson teaches further comprising the step of examining a request from a

client for access to the server-hosted application to determine if the request contains a

reference to the version of the server-hosted application to which the client should be

directed, before consulting the register to determine the version of the server-hosted

application to which the client is to be directed (see page 4, para. 0067, Peterson).

As to claim 12,

Peterson teaches wherein when a request from a client does not include a

reference to the version of the server-hosted application to which the client should be

directed, further comprising the step of incorporating a reference to the version of the

server-hosted application to which the client should be directed in a cookie returned to the client from the server, such that when the client makes a future request, the register does not need to be consulted to determine to which version of the server-hosted application the client should be directed (see page 4, para. 0067, Peterson).

Peterson does not explicitly indicate claimed cookie.

Pezutti discloses claimed cookie (page 6, para. 0069).

It would have been obvious to one ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because cookie of Pezutti's teaching would have allowed Peterson's system to an intelligent networks provide network access services for the benefit of network providers, service providers and customers, as suggested by Pezutti at page 1, para, 0002. Cookie as taught by Pezutti improves the quality services to customers and revenue generations and operations savings services for network providers and service providers (see page 3, para 0019, Pezutti).

As to claim 12,

Peterson teaches wherein when a client attempts to access the server-hosted application and is not identified in the register, further comprising the steps of associating the client with a default version of the server-hosted application; and, adding information identifying the client as being associated with the default version, to the register (see page 3, para. 0066, Peterson).

As to claim 14,

Peterson teaches further comprising the step of incorporating a reference to the default version of the server-hosted application in a cookies returned to the client from the server, such that when that client makes a further request, the register does not need to be consulted to determine to which version of the server-hosted application the client should be directed (see page 4, para. 0067, Peterson).

Peterson does not explicitly indicate claimed cookie.

Pezutti discloses claimed cookie (page 6, para. 0069).

It would have been obvious to one ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because cookie of Pezutti's teaching would have allowed Peterson's system to an intelligent networks provide network access services for the benefit of network providers, service providers and customers, as suggested by Pezutti at page 1, para, 0002. Cookie as taught by Pezutti improves the quality services to customers and revenue generations and operations savings services for network providers and service providers (see page 3, para 0019, Pezutti).

As to claim 14,

Peterson teaches wherein when a client attempts to access the server-hosted application, and the request from the client includes a reference to the version of the server-hosted application to which the unique client should be directed, but that reference fails to determine a version of the server-hosted application with which data of the client are associated, further comprising the step of consulting the register to

determine to which version of the server-hosted application the client should be directed (see page 4, para. 0067, Fig. 11, Peterson).

As to claim 16,

Peterson teaches further comprising the steps of changing the reference to the version of the server-hosted application contained in the request cookie to correspond with the version of the server-hosted application identified by the register, and returning the cookie that is thus corrected to the client, so that when the client makes a further request, the further request will properly reference the version of the server-hosted application with which the client is associated (see page 4, para. 0067 and page 1, para. 013, Peterson).

Peterson does not explicitly indicate claimed cookie.

Pezutti discloses claimed cookie (page 6, para. 0069).

It would have been obvious to one ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because cookie of Pezutti's teaching would have allowed Peterson's system to an intelligent networks provide network access services for the benefit of network providers, service providers and customers, as suggested by Pezutti at page 1, para, 0002. Cookie as taught by Pezutti improves the quality services to customers and revenue generations and operations savings services for network providers and service providers (see page 3, para 0019, Pezutti).

As to claim 17,

Peterson teaches machine-readable medium having machine instructions for performing the steps of Claim 1 (see page 4, para. 0067, Peterson).

With respect to claim 18,

Peterson discloses a system for migrating at least a portion of a plurality of clients to a selected version of a server-hosted application on a network to which the plurality of clients is coupled, where multiple versions of the server-hosted application are available on the network, such that direction of a client to use a specific version of the server-hosted application may be transparent to a user (see page 4, para. 0067, Peterson), comprising:

(a) a computing device for each client coupled to the network (see page 1, para. 0013, Peterson); and

(b) a server having a processor and a memory in communication with the processor, said memory storing machine instructions that when executed by the processor cause the processor (see page 4, para. 0067, Peterson) to:

(i) install the multiple versions of the server-hosted application for access over the network (see page 4, para. 0067 and page 1, para. 0014, Peterson);

(ii) create a register identifying the plurality of clients having access to the server-hosted application and including an association of a version of the server-hosted application with each client having access to the server-hosted application (see page 3, para. 0066, Peterson);

(iii) change an association in the register of a first group of clients selected from the plurality of clients, to a different version of the server-hosted application (see page 4, para. 0067 and page 2, para 0017, Peterson); and

(iv) direct each client attempting to access the server-hosted application to the version of the server-hosted application with which the client is associated in the register, without requiring that a user of any client be aware of the migration to the different version (see page 3, para. 0066 and page 2, para. 0058, Peterson).

Peterson does not explicitly indicate claimed installation.

Pezutti discloses claimed installation (page 16, para. 0283).

It would have been obvious to one ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because installation of Pezutti's teaching would have allowed Peterson's system to an intelligent networks provide network access services for the benefit of network providers, service providers and customers, as suggested by Pezutti at page 1, para, 0002. Installation as taught by Pezutti improves the quality services to customers and revenue generations and operations savings services for network providers and service providers (see page 3, para 0019, Pezutti).

Peterson does not explicitly indicate claimed association.

Pezutti discloses claimed installation (page 5, para. 0058).

It would have been obvious to one ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because association of Pezutti's teaching would have allowed Peterson's system to an intelligent

networks provide network access services for the benefit of network providers, service

providers and customers, as suggested by Pezutti at page 1, para, 0002. Association as

taught by Pezutti improves the quality services to customers and revenue generations

and operations savings services for network providers and service providers (see page

3, para 0019, Pezutti).

As to claim 19,

Peterson teaches wherein the machine instructions, when executed by the

processor, further cause the processor to direct each client attempting to access the

server-hosted application to the version of the server-hosted application with which the

client is associated, by consulting the register to determine the version of the server-

hosted application to which the client should be directed (see page 4, para. 0067,

Peterson).

As to claim 20,

Peterson teaches wherein the machine instructions, when executed by the

processor, further cause the processor to direct each client attempting to access the

server-hosted application to the version of the server-hosted application with which the

client is associated, by examining a request from each client to the server to determine

if the request contains a reference to the version of the server-hosted application to

which the client should be directed (see page 4, para. 0067 and Fig. 1a, Peterson).

As to claim 21,

Peterson teaches wherein when the request does not include a reference to the

version of the server-hosted application to which the client should be directed, the

machine instructions cause the processor to identify the version of the server-hosted

application to which the client should be directed, by consulting the register (see page 2,

para. 0058, Fig. 1a, Peterson).

As to claim 22,

Peterson teaches wherein when the request does not include a reference to the

version of the server-hosted application to which the client should be checked, the

machine instructions further cause the processor to incorporate a reference to the

version of the server-hosted application to which the unique client should be directed in

a cookie returned to the client from the server, such that when the client makes a future

request, the register does not need to be consulted to determine to which version of the

server-hosted application the client should be directed (see page 4, para. 0067, Fig. 1a,

Peterson).

Peterson does not explicitly indicate claimed cookie.

Pezutti discloses claimed cookie (page 6, para. 0069).

It would have been obvious to one ordinary skill in the data processing art at the

time of the present invention to combine the teachings of the cited references because

cookie of Pezutti's teaching would have allowed Peterson's system to an intelligent

networks provide network access services for the benefit of network providers, service

providers and customers, as suggested by Pezutti at page 1, para, 0002. Cookie as

taught by Pezutti improves the quality services to customers and revenue generations

and operations savings services for network providers and service providers (see page

3, para 0019, Pezutti).

As to claim 23,

Peterson teaches wherein when a client attempts to access the server-hosted application, and the client is not identified in the register, the machine instructions further cause the processor to associate the client with a default version of the server-hosted application, and add the client in association with the default version, to the register (see page 2, para. 0056-0058, Peterson).

With respect to claim 36,

Peterson discloses a method of enabling a provider of a server-hosted application to migrate selected clients from a first version of said server-hosted application to a second version of said server-hosted application, such that at least one version of the server-hosted application remains accessible to at least some clients during the migration (see page 4, para. 0067, Peterson), comprising the steps of :

(a) creating a register identifying each client having access to the server-hosted application, and associating each client having access to the server-hosted application with the first version of the server-hosted application (see page 4, para. 0067, Peterson);

(b) making the second version of the server-hosted application available on the network (see page 3, para. 0066, Fig. 1c, Peterson);

(c) selecting a first group of clients from those clients identified in the register to be migrated to the second version of the server-hosted application (see page 4, para. 0067, Peterson);

(d) changing the register so that the register indicates each client included in the first group of clients is associated with and allowed to access the second version of the server-hosted application, but not the first version of the server-hosted application (see page 4, para. 0071, Peterson);

(e) each time that a client attempts to access the server-hosted application, automatically identifying the version of the server-hosted application that said client is allowed to access (see page 3, para. 0066, Peterson); and

(f) automatically directing said client to the version the server-hosted application that the client is allowed to access (see page 4, para. 0071, Peterson).

Peterson does not explicitly indicate claimed association.

Pezutti discloses claimed installation (page 5, para. 0058).

It would have been obvious to one ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because association of Pezutti's teaching would have allowed Peterson's system to an intelligent networks provide network access services for the benefit of network providers, service providers and customers, as suggested by Pezutti at page 1, para, 0002. Association as taught by Pezutti improves the quality services to customers and revenue generations and operations savings services for network providers and service providers (see page 3, para 0019, Pezutti).

As to claim 37,

Peterson teaches wherein the register comprises meta information for each client, said meta information including at least a status of each client and a version

identifier that identifies the version of the server-hosted application that the client is

allowed to access (see page 4, para. 0071, Peterson).

As to claim 38,

Peterson teaches wherein the status comprises at least one of an active state

and a being migrated state (see page 3, para. 0066, Fig. 3, Peterson).

As to claim 39,

Peterson teaches wherein when data of any of the first group of clients must be

reformatted to be compatible the second version of the server-hosted application, for

each client in the first group of clients whose data requires reformatting (see page 4,

para. 0067, Peterson), further comprising the steps of:

(a) modifying the register to identify the status of the client as in the being

migrated state (see page 4, para. 0071, Peterson);

(b) reformatting the data associated of the client to be compatible with the

second version of the server-hosted application (see page 4, para. 0071, Peterson); and

(c) when the reformatting is completed, modifying the register to identify the

status of the client œs in the active state (see page 4, para. 0067 and para. 0071, Fig.

1a, Peterson).

As to claim 40,

Peterson teaches wherein if an error occurs in reformatting the data associated

with the client (see page 4, para. 0067, Peterson); further comprising the steps of:

(a) modifying the register to identify the status of the client as in the being

migrated state (see page 4, para. 0067, Fig. 3, Peterson);

(b) reformatting the data associated of the client to be compatible with the first

version of the server-hosted application (see page 4, para. 0067, Peterson); and when

the reformatting is completed:

(i) modifying the register to identify the status of the client as in the active state

(see page 4, para. 0067, Fig. 1c, Peterson); and

(ii) changing the register so that the register indicate the client is associated with

and allowed to access the first version of the server-hosted application, but not the

second version of the server-hosted application (see page 4, para. 0067, Fig. 3,

Peterson).

As to claim 41,

Peterson teaches further comprising the step of determining the status of each

client attempting to access the server-hosted application, and if the status of the client is

identified as being migrated, preventing the client from accessing the server-hosted

application, until the status of the client is changed to the active state (see page 4, para.

0067, Peterson).

As to claim 42,

Peterson teaches further comprising the step of determining the status of each

client attempting to access the server-hosted application, and if the status of the client is

identified as being migrated, allowing the client only limited access to the server-hosted

application, until the status of the client is changed to the active state (see page 4, para.

0067, Fig. 1b, Peterson).

As to claim 43,

Peterson teaches further comprising the step of determining the status of each client attempting to access the server-hosted application, and if the status of the client is identified as being migrated, allowing the client only limited access the client's data stored by the server-hosted application, until the status of the client is changed to the active state (see page 4, para. 0070, Fig. 1a, Peterson).

As to claim 44,

Peterson teaches further comprising the step of making the first version of the server-hosted application un-available to the network, if each client identified in the register as having access to the server-hosted application, is associated with the second version of the server-hosted application (see page 4, para. 0067, Peterson).

As to claim 45,

Peterson teaches wherein the step of automatically identifying the version of the server-hosted application that said client is allowed to access comprises the step of consulting the register to determine the version of the server-hosted application that said client is allowed to access (see page 4, para. 0071, Peterson).

As to claim 46,

Peterson teaches wherein the step of automatically identifying the version of the server-hosted application that said client is allowed to access comprises the step of examining a request from said client to the server, to determine if the request contains a reference to the version of the server-hosted application that said client is allowed to access (see page 4, para. 0071, Peterson).

As to claim 47,

Peterson teaches wherein if the request does not include the reference to the version of the server-hosted application that said client is allowed to access, the step of automatically identifying the version of the server-hosted application that said client is allowed to access comprises the step of consulting the register to determine the version of the server-hosted application that said client is allowed to access (see page 4, para. 0067, Fig. 3, Peterson).

As to claim 48,

Peterson teaches wherein if the request does not include any reference to the version of the server-hosted application that said client is allowed to access, further comprising the step of incorporating a reference to the version of the server-hosted application that said client is allowed to access in a cookie returned to said client from the server, such that when said client makes a future request, the register does not need to be consulted to determine the version of the server-hosted application (see page 3, para. 0066, Peterson).

Peterson does not explicitly indicate claimed cookie.

Pezutti discloses claimed cookie (page 6, para. 0069).

It would have been obvious to one ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because cookie of Pezutti's teaching would have allowed Peterson's system to an intelligent networks provide network access services for the benefit of network providers, service providers and customers, as suggested by Pezutti at page 1, para, 0002. Cookie as taught by Pezutti improves the quality services to customers and revenue generations

and operations savings services for network providers and service providers (see page

3, para 0019, Pezutti).

As to claim 49,

Peterson teaches wherein when said client is not identified in the register, further

comprising the steps of associating said client with a default version of the server-

hosted application, and updating the register to identify said client and to indicate that

said client is allowed to access the default version (see page 4, para. 0071, Peterson).

As to claim 50,

Peterson teaches wherein said default version is the first version of the server-

hosted application (see page 4, para. 0071, Fig. 15b, Peterson).

As to claim 51,

Peterson teaches wherein said default version is the second version of the

server-hosted application (see page 4, para. 0071, Peterson).

As to claim 52,

Peterson teaches further comprising the step of incorporating a reference to the

default version of the server-hosted application that said client is allowed to access in a

cookie returned to said client from the server, such that when said client makes a future

request, the register does not need to be consulted to determine the version of the

server-hosted application that said client is allowed to access (see page 4, para. 0071,

Peterson).

Peterson does not explicitly indicate claimed cookie.

Pezutti discloses claimed cookie (page 6, para. 0069).

It would have been obvious to one ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because cookie of Pezutti's teaching would have allowed Peterson's system to an intelligent networks provide network access services for the benefit of network providers, service providers and customers, as suggested by Pezutti at page 1, para, 0002. Cookie as taught by Pezutti improves the quality services to customers and revenue generations and operations savings services for network providers and service providers (see page 3, para 0019, Pezutti).

As to claim 53,

Peterson teaches wherein when a request from said client to access the server-hosted application includes a reference to the version of the server-hosted application that said client is allowed to access, but the reference fails to indicate a version of the server-hosted application with which data of said client is associated, the step of automatically identifying the version comprises the step of consulting the register to determine the version of the server-hosted application that said client is allowed to access (see page 2 para. 0058 and page 4, para. 0071, Peterson).

As to claim 54,

Peterson teaches further comprising the steps of:

(a) changing the reference in the request to correspond to the version of the server-hosted application that said client is allowed to access that is defined in the register (see page 4, para. 0070, Peterson); and

(b) returning the changed reference to said client, such that when said client

makes a future request, said future request properly references the version of the

server-hosted application that said client is allowed to access (see page 4, para. 0071,

Fig. 3, Peterson).

As to claim 55,

Peterson teaches further comprising the steps of selecting a second group of

clients from those clients identified in the register that are allowed to access to the

version of the server-hosted application, and changing the register so that the register

indicates each client included in the second group of clients is associated with and

allowed to access the second version of the sewer-hosted application, but not the first

version of the server-hosted application (see page 4, para. 0071, Peterson).

As to claim 56,

Peterson teaches wherein when all clients identified in the register are

associated with and only allowed access to the second version of the server-hosted

application, further comprising the step of making the first version of the server-hosted

application unavailable to the network (see page 4, para. 0067 and Fig. 3, Peterson).

As to claim 57,

Peterson teaches machine-readable medium having machine instructions for

performing the steps of Claim 36 (see page 4, para. 0067, Peterson).

With respect to claim 58,

Peterson discloses a system for enabling a provider of a server-hosted

application to migrate at least some clients from a first version of the server-hosted

application to a second version of the server-hosted application, such that at least one

version of the server-hosted application remains accessible to at least some of the

clients during the migration (see page 4, para. 0067, Peterson), comprising:

(a) a plurality of computing devices, each computing device comprising a

different client's (see page 4, para. 0067 and Fig. 1a, Peterson), and

(b) a server having a processor and a memory in communication with the

processor, said memory storing machine instructions that when executed by the

processor, cause the processor (see page 4, para. 0067, Peterson) to:

(i) maintain a register that identifies each client having access to the server-

hosted application, for each client having access to the server-hosted application,

associates the client with the first version of the server-hosted application (see page 3,

para. 0066, Peterson),

(ii) enable the second version of the server-hosted application to be made

available to the clients (see page 4, para. 0071, Peterson)',

(iii) enable a first group of clients to be selected from those clients identified in

the register, for migration to the second version of the server-hosted application (see

page 3, para. 0066, Peterson);

(iv) change the register so that the register indicates that each client included in

the first group of clients is associated with and allowed to access the second version of

the server-hosted application, but not the first version of the server-hosted application

(see page 4, para. 0067 and Fig. 15b, Peterson);

(v) each time that any client attempts to access the server-hosted application, automatically identify the version of the server-hosted application that said client is allowed to access (see page 4, para. 0071, Peterson); and

(vi) direct said client to the version of the server-hosted application that said client is allowed to access (see page 4, para. 0071, Fig. 1b, Peterson).

Peterson does not explicitly indicate claimed association.

Pezutti discloses claimed installation (page 5, para. 0058).

It would have been obvious to one ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because association of Pezutti's teaching would have allowed Peterson's system to an intelligent networks provide network access services for the benefit of network providers, service providers and customers, as suggested by Pezutti at page 1, para, 0002. Association as taught by Pezutti improves the quality services to customers and revenue generations and operations savings services for network providers and service providers (see page 3, para 0019, Pezutti).

Remarks

5.   Peterson and Pezutti combination of references teaches all limitations as stated above including versons, access,....

Contact Information

6.   Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Mohammad Ali whose telephone number is (571) 272-
4105. The examiner can normally be reached on Monday-Thursday (7:30 am-6:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, John E Breene can be reached on (571) 272-4107. The fax phone number
for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the
Patent Application Information Retrieval (PAIR) system. Status information for
published applications may be obtained from either Private PAIR or Public PAIR.
Status information for unpublished applications is available through Private PAIR only.
For more information about the PAIR system, see http://pair-direct.uspto.gov. Should
you have questions on access to the Private PAIR system, contact the Electronic
Business Center (EBC) at 866-217-9197 (toll-free).

Mohammad   Ali
Primary Examiner
Art Unit 2167

MA
June 15, 2005